



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FACT SHEET FOR H.B. 2522

DCS; intake hotline; reports

Purpose

Establishes exceptions to the current requirements for the Department of Child Safety (DCS) hotline to prepare reports for investigation. Limits situations in which a hotline worker must forward certain communications to law enforcement.

Background

Communication of suspected child abuse is referred to DCS through a statewide, toll-free, 24-hour child abuse hotline. Anyone who suspects child abuse or neglect may report it through the hotline; however, certain individuals who have responsibility for minors have a statutory duty to report suspected abuse or neglect. When a communication is received, hotline personnel use a risk assessment to determine the proper initial priority level of investigation and direct a report for investigation to the appropriate part of DCS based on that determination.

The hotline worker prepares a report for investigation if: 1) the suspected conduct would constitute abuse or neglect; 2) the victim is under 18 years of age; 3) the victim is a resident of or present in Arizona, or any act involved in the suspected abuse or neglect occurred in Arizona; and 4) the suspect is the victim's parent, guardian or custodian or an adult member of the victim's household. A report for investigation must be prepared in these circumstances, even if the identity or location of the suspect or victim is not known. If a communication provides a reason to believe a criminal offense has been committed, the hotline worker must provide the information to the Office of Child Welfare Investigations (OCWI) within DCS and the appropriate law enforcement agency.

This legislation may limit the communications that rise to the level of a report for investigation and thus must be investigated.

Provisions

DCS Report Exceptions

1. Limits the reports for investigation (DCS reports) a hotline worker must prepare by only requiring them when the identity or current location of the following is known or can be reasonably ascertained:
 - a) the child victim;
 - b) the child's family; or
 - c) the person suspected of abuse or neglect.

2. Requires the suspected victim to be a resident of or present in this state *and* an act involved in the suspected abuse or neglect to have occurred here, in order for the allegation to meet the threshold to become a DCS report. Current law only requires one or the other, not both.
3. Exempts DCS from preparing a DCS report, except for criminal conduct allegations, if both of the following apply:
 - a) the suspected conduct occurred more than three years before the communication to the hotline; and
 - b) there is no information or indication that a child is currently being abused or neglected.

Communications Alleging a Criminal Offense

4. Limits the circumstance in which the hotline worker must forward criminal offense-related communications to law enforcement to situations in which the communication does not meet the criteria for a DCS report.
5. Removes the requirement for criminal offense-related communications to be forwarded to law enforcement even if the identity or location of the suspect or victim is not known.
6. Defines *criminal offense* as an allegation of conduct against a child by a person other than a parent, guardian or custodian of the child victim or another adult member of the child's household that, if true, would constitute a felony offense.

Miscellaneous

7. Renames the following terms:
 - a) *reports for investigation* as *DCS reports*; and
 - b) *risk assessment* as *report screening assessment*.
8. Makes technical and conforming changes.
9. Becomes effective on the general effective date.

House Action

CFA	2/8/16	DPA	8-1-0
3 rd Read	2/24/16		49-10-1

Prepared by Senate Research

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AW/rf